



PATENT

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: Morton REESLEV et al. Conf.: 9441
Appl. No.: **10/591,321** Group: 1657
Filed: August 31, 2006 Examiner: Paul C. Martin
For: Filtration Method for Detecting Microbial Contamination (As Amended)
Atty. Dkt. No.: 36731-000093/US

Customer Service Window
Randolph Building
401 Dulany Street
Alexandria, VA 22314
Mail Stop APPEAL

May 13, 2010

**NOTICE OF APPEAL FROM THE
PRIMARY EXAMINER TO THE BOARD OF APPEALS**

Sir:

Applicants hereby appeal to the Board of Appeals from the decision dated January 13, 2010 of the Primary Examiner finally rejecting claims 1-13, 15-18, 20-30, 34, 37-42, 44, 45 and 48-58.

The enclosed document is being transmitted via the Certificate of Mailing provisions of 37 C.F.R. § 1.8.

The enclosed document is concurrently filed with a Pre-Appeal Brief Request for Review.

Applicants hereby petition for an extension of one (1) month(s) pursuant to 37 C.F.R. §§ 1.17 and 1.136(a).

The fee has been calculated as shown below:

NO extensions of time have been previously obtained for responding to the Final Rejection. Thus a fee of \$65.00 (small entity) is required for the full period of the above-requested extension of time.

An extension of month(s) for responding to the Final Rejection was previously requested and paid for on . Thus a fee of \$ is required.

05/14/2010 JADDO1 00000001 10591321
01 FC:2401 270.00 OP

Applicant claims small entity status. See 37 C.F.R. § 1.27.

The Government fee for filing a Notice of Appeal to the Board of Appeals is calculated as follows:

Large entity - \$540.00
 Small Entity - \$270.00

Therefore, the TOTAL FEE due for the filing of this Notice of Appeal is \$335.00.

Payment of the above TOTAL FEE is being made in the following manner:

Check in the amount of \$335.00 is enclosed.
 Please charge Deposit Account No. 08-0750 in the amount of \$0.00. A triplicate copy of this sheet is attached.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

HARNESS, DICKEY, & PIERCE, P.L.C.

By

John A. Castellano, Reg. No. 35,094

P.O. Box 8910
Reston, Virginia 20195
(703) 668-8000

CDW
JAC/CDW:ljs

895411.1